

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

AUG 20 2015

Clerk of Court

United States of America)

Ramon V BARRERA)
YOB: 1990)
COB: US)

Case No.

M-15-1426-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 19, 2015 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

8 U.S.C. § 1324 (a)(1)(A)(ii)

Offense Description

knowing or in reckless disregard of the fact that Pedro GONZALEZ-Guzman, a Mexican citizen was an alien who had entered the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

approved by
[Signature]

Sworn to before me and signed in my presence.

Date: 8/20/2015City and state: McAllen, Texas[Signature]
Complainant's signatureGilberto Gamez, U.S. HSI Special Agent
Printed name and title[Signature]
Judge's signatureU.S. Magistrate Judge Dorina Ramos
Printed name and title

ATTACHMENT A

Before the United States Magistrate Judge, Southern District of Texas, I, Gilberto Gamez, Special Agent, U.S. Immigration and Customs Enforcement - Homeland Security Investigations, being duly sworn, depose and say the following:

On August 19, 2015, United States Border Patrol Agents (BPA) working in Roma, Texas, were advised by KAK 961, that they had visual of 4 subjects running north from the river towards the water plant. Agents in an unmarked unit position themselves along Garfield Street, a gray Ford Explorer displaying a Pizza Hut Delivery magnet was seen in the area. BPA Sergio Montes relayed via radio that he had visual of four subjects running north towards Zaragoza Ave. a description of the subjects clothing was also relayed to agents in the area. BPA Montes then advised that the SUV with the Pizza Hut delivery magnet picked up one subject and was traveling north. BP agents spotted the vehicle BPA Montes had described traveling north on Juarez Ave. Agents noticed a male subject on the side of Juarez Avenue wearing black clothing which matched the clothing description transmitted earlier over the radio. BP Agents made contact with the male subject, later identified as Pedro GONZALEZ-Guzman, a Mexican national who had entered the U.S. illegally and was not in possession of documents to be in the country legally. The subject was detained and transported to the Rio Grande City Border Patrol Station for processing.

The Ford Explorer continued on Juarez Ave. at which time the vehicle proceed to run a stop sign at the intersection of U.S. Highway 83 and Juarez Ave. The driver's failure to obey the traffic sign resulted in the collision with 4 door Chevy sedan. The collision resulted in the rollover of the Ford Explorer upon impact. The sedan was occupied and driven by only one female driver identified as Brigida De La Cruz Gonzalez. De La Cruz Gonzalez was transported and to Starr County Medical Hospital for treatment. The driver of the Ford Explorer, identified as Ramon BARRERA, was uninjured and declined medical attention. BARRERA was taken into custody by BP Agents and transported to the Rio Grande City Border Patrol Station for further investigation.

HSI SA Gilberto Gamez was called for assistance with the investigation and responded to the Border Patrol Station. HSI Special Agent Gamez with the assistance of USBP Intel Agents conducted interviews of the subject at the Rio Grande City, Texas Border Patrol Station.

Before answering any questions or making any statements BARRERA was advised of his Miranda Rights in the Spanish Language by HSI Gamez and witnessed by BPA Medardo Barrera. Barrera agreed to speak to agents without his attorney present and stated the following:

-BARRERA stated he was contacted by a friend who asked him to transport three undocumented aliens (UDAs). BARRERA stated he agreed and proceed to location to pick up the subjects but only one UDA made it inside the vehicle because the others were apprehended by BP Agents. BARRERA stated

he did not know how much his friend was going to pay him. His friend was going to send him money later. BARRERA stated his friend was in Miguel Aleman, Mexico.

-BARRERA stated he got scared when saw BP units and instructed the UDA to get out of the vehicle near the Las Alitas restaurant. Note. The Las Alitas restaurant is located on Juarez Ave in Roma, Texas.

Records checks query was conducted revealing arrests for Possession of Marijuana and Theft and other misdemeanor arrests for BARRERA.

Before answering any questions or making any statements GONZALEZ-Guzman was advised of his Miranda Rights in the Spanish Language. During his interview GONZALEZ-Guzman stated the following:

- GONZALEZ-Guzman stated he is a citizen and national of Mexico and has no documents which allow him to enter or remain in the United States legally.

- GONZALEZ-Guzman stated his family paid a deposit of \$1,400 to a smuggler in Chiapas, Mexico to be smuggled and would have to pay an unknown balance upon his arrival to his destination.

- GONZALEZ-Guzman stated was traveling in a group of three, however the other two fell behind and the driver of the vehicle did not wait for the others.

- GONZALEZ-Guzman stated he could not identify the driver due to seating in the back and unable to see the driver's face.

- GONZALEZ-Guzman stated the vehicle he boarded a SUV vehicle and that he could not remember the make, model or color.

The case was referred and accepted for federal prosecution by the Assistant United States Attorney's Office in McAllen, Texas.